

REMARKS

Introduction

Claims 10-13 and 23-26 are pending in this application.

Claims 10-13 and 23-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Paravia et al., U.S. Patent No. 6,508,710 (hereinafter "Paravia") in view of LaDue, U.S. Patent No. 5,999,808 (hereinafter "LaDue").

The Examiner's rejection under 35 U.S.C. § 103(a) is respectfully traversed.

Applicants' Reply to the 103(a) Rejection

Applicants' invention, as defined by independent claims 10 and 23, is directed to a method and a system for operating a mobile wireless communications device in a plurality of localities. A user-interactive wagering application provides a wagering service to a user from the mobile wireless communications device. Information on which one of a plurality of base stations the mobile wireless communications device is associated with is used to determine the locality in which the user is currently operating the mobile wireless communications

device. When the mobile wireless communications device is being operated in a locality where wagering is not legal, the user is prevented from wagering using the wagering application.

Paravia refers to providing an automated gaming service in a computer-based environment such that various players can access the automated gaming system from remote locations. The system of Paravia restricts player access to wagering services based on whether wagering is allowed at a location associated with a player (see col. 3, lines 39-45). In one embodiment of Paravia, a location verification module determines the location associated with the player based on ANI numbers (e.g., caller-ID numbers).

The Examiner concedes that Paravia fails to teach applicants' feature of using information on which one of a plurality of base stations that a wireless communications device is associated with to determine the locality in which the user is currently operating the mobile wireless communication device (see Office Action, page 3). The Examiner, instead, relies on LaDue to show this feature of applicants' invention.

LaDue, however, also fails to show or suggest this feature. Rather, LaDue refers to transmitting application specific messages over cellular radio system control channels

and switches. In one embodiment, a locating feature identifies a cellular mobile station at which a user is currently registered, thereby allowing an application facility to route a message for the user to that specific cellular mobile station as opposed to broadcasting the message to all the cellular mobile stations (see LaDue, col. 5, lines 19-41). LaDue, however, fails to show or suggest applicants' claimed features of using information on which one of a plurality of base stations that a wireless communications device is associated with to determine the locality in which a user is currently operating the mobile wireless communication device as specified by applicants' claims 10 and 23.

Accordingly, applicants submit that neither Paravia nor LaDue show or suggest applicants' claimed feature of using information on which one of a plurality of base stations that a wireless communications device is associated with to determine the locality the user is currently operating the mobile wireless communication device. Therefore, the combination of Paravia and LaDue would also fail to show or suggest applicants' claimed invention and the Examiner's rejection under 35 U.S.C. § 103(a) should be withdrawn.

Moreover, applicants submit that the Examiner has not provided the requisite motivation to combine LaDue and Paravia. The Examiner contends that it would have been obvious "to combine the teaching of LaDue with Paravia, in order to provide an application for specific data such as gaming and wagering data as well as other specific data application" (Office Action, page 3). Contrary to the Examiner's contention, Paravia already provides these features.

As discussed above, Paravia provides a gaming service, which includes wagering, to users at remote locations. Gaming information is provided to the remote locations and users are allowed to interact with the gaming service. Similarly, LaDue provides application specific messages that are sent to wireless devices that enable gaming or wagering. Therefore, at least because both Paravia and LaDue are already capable of providing specific data and applications to their respective users, the Examiner has not provided the requisite motivation to combine LaDue and Paravia.


Accordingly, applicants submit that because the combination of Paravia and LaDue fails to show or suggest every feature of applicants invention and because there is no motivation to combine Paravia and LaDue as suggested by the

'Examiner, the rejection of applicants' claims 10 and 23 under 35 U.S.C. § 103(a) should be withdrawn. Claims 11-13 and 24-26 depend from claims 10 and 23 respectively and rejections of these claims under 35 U.S.C. § 103(a) should likewise be withdrawn.

Conclusion

The foregoing demonstrates that claims 10-13 and 23-26 are patentable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

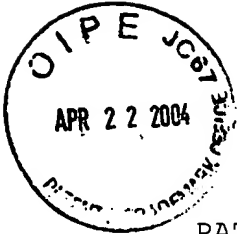
Respectfully submitted,


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PATENT APPLICATION

Applicant : Masood Garahi
Application No. : 09/766,551 Confirmation No. : 6623
Filed : January 19, 2001
For : INTERACTIVE WAGERING SYSTEMS WITH
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Group Art Unit : 2686
Examiner : Naghmeh Mehrpour

Commissioner for Patents
P.O. Box 1450
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Check for \$110.00 in payment of a one-month extension fee.